

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

*

v.

*

Criminal Action No. RDB-19-463

ANTHONY FERGUSON,

*

Defendant.

*

* * * * *

MEMORANDUM ORDER

Before this Court is the Defendant Anthony Ferguson’s *pro se* Motion for Compassionate Release (ECF No. 205) and Motion to Reduce Sentence (ECF No. 214). Mr. Ferguson has been released pursuant to an Executive Grant of Clemency dated January 17, 2025, and is not in custody of the Federal Bureau of Prisons as of January 21, 2025. (ECF No. 233); *see also Find an Inmate*, FEDERAL BUREAU OF PRISONS, <https://www.bop.gov/inmateloc/#> (search by register number 65246-037). Accordingly, the Court can no longer grant Defendant’s requested relief, early release from prison. “Simply stated, a case is moot when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Incumaa v. Ozmint*, 507 F.3d 281, 286 (4th Cir. 2007) (quoting *Powell v. McCormack*, 395 U.S. 486, 496 (1969)).

The Fourth Circuit Court of Appeals has determined that requests for compassionate release under § 3582 are rendered moot when an inmate is released. *See United States v. Banks-Davis*, No. 21-6550, 2021 U.S. App. LEXIS 31869, 2021 WL 4936206, at *1 (4th Cir. Oct. 22, 2021) (citing *United States v. Chestnut*, 989 F.3d 222, 224–25 (2d Cir. 2021)); *see also United States v. Jackson*, No. 22-7140, 2023 U.S. App. LEXIS 19100, 2023 WL 4758733, at *1

(4th Cir. July 26, 2023) (“Because Jackson has already served his term of imprisonment, there is no longer a live controversy regarding the orders denying his motions for compassionate release and for reconsideration.”).

As the Court now lacks subject matter jurisdiction to hear this matter, Defendant Anthony Ferguson’s *pro se* Motion for Compassionate Release (ECF No. 205) and Motion to Reduce Sentence (ECF No. 214) are both DENIED AS MOOT. It is SO ORDERED this 27th day of January, 2025.

/s/

Richard D. Bennett
United States Senior District Judge